



KWAME M. KILPATRICK, MAYOR  
CITY OF DETROIT  
EXECUTIVE OFFICE

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE., SUITE 1126  
DETROIT, MICHIGAN 48226  
PHONE 313•224•3400  
Fax 313•224•4128  
WWW.CI.DETROIT.MI.US

August 11, 2008

Mr. Kelly Keenan Esq.  
Legal Counsel to the Governor  
The Honorable Jennifer M. Granholm  
George W. Romney Building  
111 South Capitol Avenue  
Lansing, Michigan 48909

Re: Letter from Mr. Goodman dated August 8, 2008

Dear Mr. Keenan,

Though I wish that I did not have to respond to Mr. Goodman's letter, unfortunately I must: To ignore it would leave you with unanswered questions. I do hope in the near future that Mr. Goodman and I are able to talk to each other and perhaps avoid some of the misunderstandings that we are having now.

First, at the time that I wrote to you on August 7<sup>th</sup>, I had not been served with the Petitioner's Motion and Brief. On the next day, I received a document that was not relevant to the Governor's proceedings, but to the Council proceedings. That document referenced exhibits but did not attach them: Thus, I declined to sign for the document and returned it to the young woman who brought it.

I have never met the attorney, whose affidavit was attached to Mr. Goodman's letter but I was here at the time that he says he arrived to give me the documents: I do not know why he left them with a receptionist instead of asking for me. I did go out and ask for the documents later, when I learned that they were delivered (by that time I had already written to you). They were not brought to me as the attorney says the receptionist promised to do. I am sure everyone involved in this process meant well and there was no intention to keep the documents from me. I mentioned that I did not have them when I sent my pleadings to you because I did not have them at that time.

This is just a misunderstanding. The time frames associated with all of these duplicative processes are such that it has become very difficult for everyone. If Mr. Goodman will call me on my cell phone, I will accept documents, should he have any to give to me in the future. I will meet him or his designee at the front desk on the 11<sup>th</sup> floor where my office is located.



I do not intend to check a website for service of pleadings: I will serve my pleadings on Mr. Goodman and I ask that he do likewise.

With regard to the statement that I attributed to Mr. Goodman, please know that it was a reporter from the Detroit News who called and told me that Mr. Goodman had made the statement. He was looking for a reaction to the statement. I apologize for repeating it: I believed the reporter. I won't make that mistake again.

It seems impossible for Mr. Goodman to write a letter that references me without some nasty remark as a part of the letter. I did not "imagine" ex-parte contact on his part: In fact, he has said, in Council sessions (some closed), that he has spoken to the Prosecutor, your office, and others. I know that we initially agreed to some ex-parte discussions with the Governor, so I am not sure why he thinks they are the product of my imagination.

Relative to my intention to call some Council members as witnesses, I do not know of any rule requiring me to inform Mr. Goodman of my legal strategy. Five Council members are petitioners in this matter before the Governor. Surely, they do not think that they can petition the Governor and then refuse to answer questions at the hearing?

I am sorry that you have had to be troubled with this misunderstanding and I promise to call Mr. Goodman and hopefully avoid these kinds of issues in the future.

Sincerely,

Sharon McPhail

Counsel to the Honorable Kwame M. Kilpatrick

Cc: James Thomas  
David Whitaker  
Bill Goodman